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Express Mail No. ER707461757



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

Group: 1638

Steven D. Linscombe

Examiner: Robinson, K.O.

Serial No.: SN 10/712,896

Filed: November 13, 2003

For: Rice Cultivar Designated 'Cheniere'

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Note to the Examiner:**

**The following papers are included with this submission. Should any be missing, please call André J. Porter at (225) 381-0262:**

This Petition includes:  
3 pages of remarks

Accompanying this Petition are:  
Request for Continued Examination  
Terminal Disclaimer  
Check for \$1210

**PETITION UNDER 37 C.F.R. § 1.137(b)  
FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY**

02/17/2006 TBESHAH1 00000024 10712896

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750.00 OP

Petition under 37 C.F.R. § 1.137(b) for  
Revival of an Application for Patent  
Abandoned Unintentionally

Serial No. 10/712,896

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Dear Sir:

The above-identified application became abandoned for failure to file a timely reply to the Office Action mailed on July 15, 2005, which set a three-month shortened statutory period for reply.

Applicant petitions that the above application, filed under 37 C.F.R. §1.53(b), be revived as an application abandoned unintentionally. Enclosed is the petition fee of \$750 for a small entity pursuant to 37 C.F.R. §1.17(m).

Enclosed is a Request for Continued Examination and a Terminal Disclaimer. The delay is regretted. The failure to file a timely reply was first brought to the undersigneds' attention on February 13, 2006. This Petition is being filed one day later, on February 14, 2006.

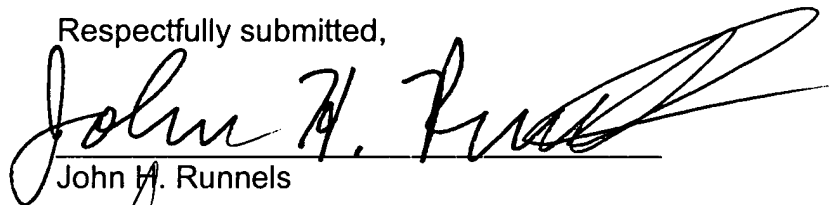
#### **Statement of Unintentional Delay**

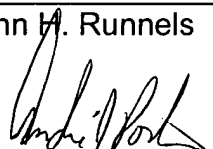
The entire delay in filing this required reply from the due date for the required reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional.

**Miscellaneous**

Enclosed is a check for \$1,210 to cover the \$750 fee for the petition to revive, \$395 for the request for continued examination, and the \$65 fee for the terminal disclaimer, all paid as a small entity. If this amount is incorrect, please charge any additional amount to Deposit Account No. 20-0096. If either of these amounts is incorrect, please refer to the Deposit Account Authorization previously filed for this application. If any additional extension of time is required, please consider this paper a petition for the total extension of time required.

Respectfully submitted,

  
John H. Runnels

  
André J. Porter  
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(Registration Nos. 33,451 and 50,341)

February 14, 2006